Previous references.

File No. 131

1907 V 1

Serial Nos. 586

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

10/E

Part B. for January

SUBJECT.

Powers of Rev Commr to make temporary arrangements in the Dl Treasuries

5 From the Revenue Commissioner no. 7097 of 3-1-07
Solicits instructions as to whether govt. intend specially to empower him to sanction leave and make acting arrangements in the case of Treasury officials irrespective of any salary limit.

6 To the Rev. Commr. & Comptroller no. H. 5936-7 of 31-1-07
States that the Rev. Commr.'s powers of appointment are governed by G.O. No. 17108-47 Finance of 1-6-03 and G.O. No. 910-49 of 12-8-03 which continue to be in force

1906.7

GENERAL AND REVENUE SECRETARIAT.

(Genl. Fin.)

NOTES.

File No. 131-06

FILE HEADING.

Powers of Rev: Govt: to make Temporary arrangts: in the st: Treasuries.

From

The Rev: Govt: in Mysore.

No. 7097 Dated 3.1.07 Received 11.1.07.

Diary No. 2809	Enclos. ..	Spare Copies. ..	Serial No. 5

BRIEF ABSTRACT OF LETTER.

licits instructions, under the circumstances explained, as whether Govt: intend specially to empower him to sanction leave make acting arrangts: in the case of Treasury officials irrespective of any salary limit.

NOTES AND ORDERS.

The Rev: Govt: has been empowered to grant all kinds of leave to the st: Treasurers (under G.O: No: 4675 dtd 20.12.06) and any arrangement that may have to be made for appointments on or above Rs: 100/:, permanently or temporarily, should be submitted to Govt: for sanction - (G.O: No: 910-49 dtd

GPB.-30,000-20-3-06.

G.R.S. 12]

General and Revenue Secretariat.

File No. of 190

Serial No.

Under p. of the 7th Sept 06 the Rev. Comm. is empowered to grant privilege leave to Amildars & Dy Amildars. Can he also make acting arrangements? Please ascertain from Branch I & the practice. I am doubtful if he can do so. The power to grant leave does not ipso facto confer the power of making acting arrangement in the absence of specific authority.

PS
19.I.07

Submitted.

In the case of acting arrangements during the absence of Amildars & Dy. Amildars Para 7 of G.O. no. R 2204-43/L.R 18-06-2 of the 18.8.1906 lays down that the Dy Collr. of a Dt. in which a temporary vacancy has risen will select from the approved list of eligible Candidates the person to be temporarily appointed & recommend him to the Rev. Collr. who, if he approves of the selection, will direct the person selected to be placed in charge of the work & report the fact to Govt. for formal Sanction

It is ascertained from Branch I that this is also the practice in vogue after the issue of the G.O. of the 11.9.06

A similar practice may, it is submitted, be in case of the Dt. Treasurers also.

Serial No.

In my opinion Rule 50 of the 20th Dec. of empowering the Rev Commr. Bpart have to District Treasurers (on Rs100) cannot be construed as authorising him to make the necessary acting arrangements, without reference to Govt. in regard to appointments carrying a salary of Rs100, and does not, unless so specially stated, supercede the order of 12th April 1903.

Under art 475 (a) the authority where duty it would be to fill up an appointment, if vacant can also grant leave to the incumbent but the converse case does not follow para ii.

Apparently to remove the anomaly pointed by the Rev Commr. in para 2 of his letter under disposal the order of 20th Dec. was issued and as in the case of the Tahsildars Dy Tahsildars, all acting arrangements made by the Rev Commr. in so far as they come under the purview of the order of 12th April 1903 should, I understand, be reported to Govt. for confirmation.

I find some support in the argument above advanced in art 844 of the Bom. C.S.R., under which an Asst. and Com[illegible] Court Inspectors have

G.R.S. 12]

General and Revenue Secretariat. | File No. of 190

Serial No.

are necessary to be submitted to the Secretary for orders.

I do not quite see the reasonableness of the rule that the officer, who can judge of the expediency of granting the leave, should also be empowered to make the necessary arrangements during the leave. But unless the latter power is also specifically delegated, the same cannot be construed by others as a necessary consequence of the other.

P.S. 9/11

The Revenue Commr may be informed that, while he has been given the power to grant privilege leave to all subordinate officials in the Revenue dept., his power of appointment, whether permanent, acting or officiating, extends only to places the maximum pay of which is below Rs. 100 per mensem. In regard to these appointments the standing orders contained in Govt. No. 13108-47-Mis. 1843 of 1-6-03 and No. 8-910-49 of 12-8-03 continue to be in full force and effect. There is however no objection under the above rule to the acting arrangements in emergent cases of the kind mentioned by the Board, provided the necessary arrangements are

G.R.S. 12]

General and Revenue Secretariat.

Gl Dis File No. 131 of 1906

Serial No.

Reporting the same to Govt for approval.

Draft an order in the above terms & submit to the Dewan for appl.

21-1-07

Draft submitted to the Dewan for approval.

24/1

25.1.07

Draft approved by Dewan

3

7

Order No. 2011

To the Revenue Committee

No. H. 5936-7 dt 31.1.07

States that the Revenue powers of appointment are governed by GO. no. 17108-47 mis 2647 dt 1.6.03. & GO. 910-49 dt 12.8.03 which continue to be in force

(4)

OFFICE OF THE REV. COMR. IN MYSO

Bangalore.....3rd January.....
10

FROM

A. RANGASWAMI IYENGAR ESQ., B. A., B L.
Revenue Commissioner in Mysore.

To

K.S. Chandrasekhara Aiyar Esq. B.A. B.L.
The Secretary to the Government of His Highness
the Maharaja of Mysore,
General & Revenue Departments

SIR,

Adverting to correspondence ending with Government P ceedings No. Fl. 4675-83/ Fl. Fin. 131-06-3 dated 20th pecembe 1906 observing that under Government Order No. 3228-37/ G F 13 06-1 of the 3rd ~~instant~~ November 1906 I am competent to grant twenty days' privilege leave to District Treasurer C. Srinivas Rao of Shimoga, I have the honor to state that the Government order does not appear in any way to affect the Revenue Commissioner's powers of appointment in the Treasury Department and u der article 475 (a) of the Service Regulations, leave may be granted to a non-gazetted officer " by the authority whose dut " it would be to fill up the appointment if vacant " Under par 16 of Government Proceedings No. R 3105-44/ L R 212-06-1 dated 11th September 1906 however the Revenue Commissioner has been to some extent granted powers of appointment in District Treasuries, but that order specially excludes appointments like th of the District Treasurer at Shimoga on a pay of ₹100/- . Accordingly Srinivasa Rao's case was submitted to Government for sanction just as other cases of officials on a pay of, above o progressing to ₹100 were being submitted.

2. It is no doubt somewhat anomalous that the Revenue Commissioner who is competent to sanction privilege leave to a certain extent to Amildars and Deputy Amildars, should be unab to grant any kind of leave, except casual leave, to subordinat ministerial officers or sanction any acting arrangements when the pay of such officers is, rises to or exceeds ₹100/-. Unde

F 2809

Rev. Commr. Form 12.

190

A. RANGASWAMI IYENGAR Esq. B. A., B. L.
Revenue Commissioner
in Mysore.

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
General & Revenue Departments.

Dated 3rd
Despatched 10 January 1907
Received
No. 7977

Enclosure N

Soliciting [illegible]

the matter of the Revenue Commissioner's powers of granting leave to Treasury officials.

these circumstances I request the favor of instructions as to whether Government now intend specially to empower me to sanction leave and to make acting arrangements in the case of Treasury officials irrespective of any salary limit.

I have the honor to be,

Sir,

Your most obedient servant,

For Revenue Commissioner.

Gf File No. 131 of 06
Serial No. 6

Diary No. of letter replied to 2809

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(GL Dn)

Date of issue 31-1-~~190~~7
do

Signed by W. Francis Jun

READ.—
letter No 7097 d 10-1-07 from the Dy Commr soliciting instructions as to whether Govt in the light of their order No FA 467 5-83/Gf 131-06-4

~~ORDER THEREON.—No.~~ d 20-12-06 now intend to specially empower him to make setting arrangements in the case of Treasury officials inspecting of any salary limit order / Revn

over—

Fl 5936-7 & 31-
order. Thereon
Gl Rm 131-9-6-6
the Rev Commr has
been given the power
to grant privilege
leave to all subordinate
officials in the Treasury
Dept in the order
referred to above, his
powers of appoint-
ment however, whether
permanent, acting
or temporary, extend
only to places the
maximum pay of
which is Rs 100 as
per margin & are govern-
ed by the standing orders
contained in Gl Osbo
17108-47 & 1-6-03 &
this 2647 & G 910-49 & 12-8-03
which continue to be
of full force & effect.
W Finance Dept
You have no objection
to the Rev Commr

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

making the necessary
acting arrangements
in future such cases
& reporting the same
to Govt for approval

Yrs ____ for Secretary.

To the Revd Kean
the Bangalore

Inter
Ccl
2/4/45